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CC 92-77

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

IN REPLY REFER TO:

November 15, 1994

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OFFICE OF THE SECRETARY

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The Honorable Bill Baker
U.S. House of Representatives
1724 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Baker:

Thank you for your letter on behalf of Ms. Maryanne P. Welchert, Development Director, Friends Outside in Contra Costa, regarding the Commission's Billed Party Preference (BPP) proceeding. On May 19, 1994, the Commission adopted a Further Notice of Proposed Rulemaking in this proceeding. I have enclosed a copy of the Further Notice and press release accompanying it for your information.

The Further Notice sets forth a detailed cost/benefit analysis of BPP. This analysis indicates, based on the available data, that the benefits of BPP to consumers would exceed its costs. The Further Notice sought comment on this analysis and asked interested parties to supplement the record concerning the costs and benefits of BPP. The Further Notice also invited parties to recommend alternatives to BPP that could produce many of the same benefits at a lower cost. Reply comments were due September 14, 1994. Presently, the Commission is evaluating the comments submitted and considering the implementation of BPP along with other options.

The Further Notice also explicitly sought comment on whether correctional facility telephones should be exempt if BPP is adopted. Specifically, the Further Notice sought additional information on the effectiveness and costs of controlling fraud originating on inmate lines with or without BPP. The Further Notice also sought comment on a proposal to exempt prison telephones from BPP if the operator service provider adheres to rate ceilings for inmate calling services.

BPP would not preclude prison officials from blocking or limiting inmate calls to specific telephone numbers in order to prevent threatening and harassing calls. Moreover, BPP would not affect the ability of prison officials to limit inmates to collect calling or to program telephone equipment at the prison site to block certain numbers.

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The Honorable Bill Baker
Page 2

Thank you for your interest in this proceeding. I can assure you that the Commission will carefully examine all of the comments submitted in response to the Further Notice, including additional empirical data regarding the costs and benefits of implementing BPP and the impact of BPP on telephone service from correctional facilities.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Kathleen M.H. Wallman', with a long, sweeping horizontal line extending to the right.

Kathleen M.H. Wallman
Chief
Common Carrier Bureau

Enclosures

BILL BAKER

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September 19, 1994

Mr. Lou Sizemore
Congressional Correspondence Staff
Federal Communications Commission
Office of Congressional and Public Affairs
1919 M Street NW
Washington, DC 20554

Dear Mr. Sizemore:

Ms. Maryanne P. Welchert, Development Director for Friends Outside in Contra Costa, has written to express her concerns about the Federal Communications Commission's "Billed Party Preference" proposal.

I have enclosed a copy of Ms. Welchert's letter to Contra Costa County Sheriff, Warren Rupf, regarding this matter for your information and review. If you will, I would appreciate your full and fair consideration of Friends Outside's concerns, providing me with a response suitable for forwarding to Ms. Welchert.

If you have any questions about the enclosed, please feel free to contact my Congressional Aide, Scott Wilson, in my Walnut Creek office.

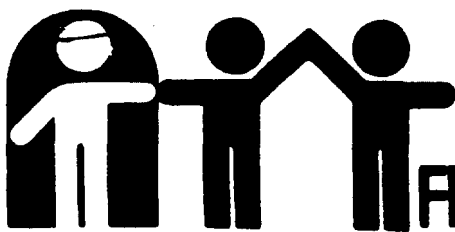
Sincerely,

Bill Baker
Bill Baker

Member of Congress

BB:sw

enclosure



AJ

FRIENDS OUTSIDE *In Contra Costa*

A Crime Prevention Agency Working With Jail and Prison Inmates and Their Families

1127 Escobar Street

• Martinez, California 94553 •

(510) 228-0644

August 25, 1994

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West County Justice Center

Sheriff Warren Rupf
651 Pine Street, 7th Floor
Martinez, CA 94553

Re: Billed Party Preference CC Docket No. 92-77

Dear Sheriff Rupf,

It has come to the attention of FRIENDS OUTSIDE in Contra Costa County that the Federal Communications Commission (FCC) is considering a proposal called "Billed Party Preference" to change the method by which long distance telephone companies are selected for operator-assisted calls (including collect calls from jails). "Billed Party Preference" (BPP) will prevent inmate phone service providers from carrying the calls generated at the jails - with no revenues from those collect calls, there will be no inmate phone service commissions which are a major source of revenue to the Inmate Welfare Fund.

The Inmate Welfare Fund (IWF) contracts with local non-profits and other service providers for educational and human service programs which benefit the inmates and, as a consequence, also their families.

Last year FRIENDS OUTSIDE in Contra Costa County serviced over 8,500 inmate requests. In total, between our two programs (Family Services and Detention Services), we responded to over 9,800 client contacts. That figure represents an increase of 14% over the 8,500 contacts in 1992 and a 44% increase in services over the 6,800 contacts we responded to in 1991.

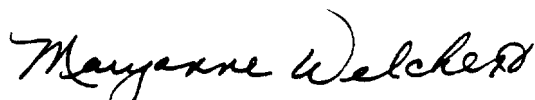
I know that you are aware of the value of the services our organization provides to your department. My concern is for the thousands of men, women, and children in our county who will not receive our help if the Inmate Welfare Fund (IWF) is depleted of a major source of revenue - thereby canceling the opportunity for contracted services with FRIENDS OUTSIDE in Contra Costa.

The passage of the "Billed Party Preference" by the FCC would in fact do just that - deplete the IWF of a major revenue source. The IWF contracted services are a sound way of dealing with inmates

educational and human service needs - at no cost to the taxpayers (since these are not state or county funds). These services are provided without depleting the Sheriff's Department budget as well.

On behalf of the thousands of men, women, and children we work with each and every year, I urge you to do what you can to ensure that the local telephone service provider used by our county jails, does not lose out through the proposed "Billed Party Preference" currently being considered by the FCC. The cost to that business would be tremendous, but the cost to the community, through potential loss of IWF contracted services, would be devastating.

Sincerely,



Maryanne P. Welchert
Development Director

cc: The Honorable Reed E. Hundt, Chairman
Federal Communications Commission

Honorable James Quello, Commissioner
Honorable Andrew Barrett, Commissioner
Honorable Rachelle B. Chong, Commissioner
Honorable Susan Ness, Commissioner

Congressman George Miller
Congressman William Baker ✓

Senator Barbara Boxer
Senator Diane Feinstein